

1 Brian J. Recor (State Bar No. 229091)
2 JONES DAY
3 3 Park Plaza, Suite 1100
Irvine, CA 92614
3 Telephone: (949) 851-3939
Facsimile: (949) 553-7539
4 Email: brecor@jonesday.com

5 Attorneys for Defendant
6 Experian Information Solutions, Inc.
(erroneously sued as "Experian")

7
8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**
10 **SAN JOSE DIVISION**

11
12 MOHAMED ABOUELHASSAN,

13 Plaintiff,

14 v.
15 CHASE BANK, EXPERIAN,
EQUIFAX CREDIT INFORMATION
SERVICES, INC. and DOE 1 aka "B-
16 Line," inclusive,

17 Defendants.
18

19 CASE NO. 5:07-cv-03951-JF

20
21 **JOINT STIPULATION TO SET ASIDE**
DEFAULT AGAINST DEFENDANT EXPERIAN
INFORMATION SOLUTIONS, INC.

22 [Proposed Order Filed Concurrently]
23
24
25
26
27
28

1 Defendant Experian Information Solutions, Inc. ("Experian"), through its undersigned
2 counsel, and Plaintiff Mohamed Abouelhassan ("Plaintiff") hereby STIPULATE AS FOLLOWS:

3 WHEREAS, on or about June 27, 2007, Plaintiff filed a complaint against Experian in the
4 above-referenced action in the Superior Court of the State of California for the County of Santa
5 Clara ("Complaint");

6 WHEREAS, Plaintiff did not properly serve Experian with the Complaint;

7 WHEREAS, on August 1, 2007, the action was timely removed to the U.S. District Court
8 for the Northern District of California pursuant to 28 U.S.C. § 1441(a);

9 WHEREAS, on August 23, 2007, Plaintiff filed a Request for Entry of Default against
10 Experian;

11 WHEREAS, on August 27, 2007, Plaintiff filed an Amended Complaint and moved for
12 leave to amend the Complaint;

13 WHEREAS, on August 28, 2007, the clerk of the U.S. District Court for the Northern
14 District of California entered the default of Experian;

15 WHEREAS, on August 29, 2007, Experian filed a motion to set aside the default of
16 Experian, and such motion was to be heard on October 26, 2007;

17 WHEREAS, on October 12, 2007, the Court dismissed Plaintiff's Amended Complaint
18 with leave to amend;

19 WHEREAS, Plaintiff intends to file a Second Amended Complaint pursuant to the
20 Court's October 12, 2007 order dismissing the Amended Complaint with leave to amend;

21 WHEREAS, on October 18, 2007, the clerk of the U.S. District Court for the Northern
22 District of California vacated the October 26, 2007 hearing date on Experian's motion to set aside
23 the default and took the motion under submission;

24 WHEREAS, if the Court approves this stipulation setting aside default, Experian's motion
25 to set aside the default is moot;

26 //

27 //

28 //

1 NOW, THEREFORE, Plaintiff and Experian HEREBY STIPULATE AND AGREE:

2 1. The default against Experian on August 28, 2007 should be set aside. Accordingly,

3 Plaintiff and Experian jointly request that the Court enter an order setting aside the default.

4 2. Experian will respond to Plaintiff's Second Amended Complaint within 20 days after

5 service of Plaintiff's Second Amended Complaint on Experian.

6 **SO STIPULATED AND AGREED:**

7 Dated: October 19, 2007

8 JONES DAY

9

10 By: /s/ Brian J. Recor

11 Brian J. Recor

12

13 Counsel for Defendant
14 EXPERIAN INFORMATION SOLUTIONS,
15 INC.

16

17 Dated: October 19, 2007

18 By: Mohamed Abouelhassan
19 Mohamed Abouelhassan

20

21 Pro Se Plaintiff

22

23

24

25

26

27

28